

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

ANDREW ALLEN

Plaintiff,

v.

ATLAS BOX AND CRATING CO., INC. and  
ALL-IN-ONE STAFFING, LLC

Defendants.

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**JUDGMENT**

No. 5:18-CV-520-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge upon defendants' motion to dismiss.

**IT IS ORDERED, ADJUDGED AND DECREED**, in accordance with the court's order entered September 21, 2023 that the court DENIES defendants' motion to dismiss for failure to prosecute, in light of suggestion of plaintiff's death on the record.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's order entered September 21, 2023, and the court having noted that no motion for substitution was filed following suggestion of death, that this case is dismissed WITHOUT PREJUDICE pursuant to Rule 25.

**This Judgment Filed and Entered on January 4, 2024, and Copies To:**

Andrew Allen (via US mail) 2534 Lake Wheeler Road, Apt 210, Raleigh, NC 27603

Kathleen K. Lucchesi / Paul Holscher / Benjamin McLawhorn / Philip Paine (via US CM/ECF Notice of Electronic Filing)

January 4, 2024

PETER A. MOORE, JR. CLERK

/s/ Sandra K. Collins  
(By) Sandra K. Collins, Deputy Clerk